REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034

5:30 PM

TUESDAY, MARCH 17, 2009

AGENDA

CALL TO ORDER

1. ROLL CALL

CLOSED SESSION

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit;
   - A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
     - i. Legal issues regarding the Code of Ethics.
     - ii. Legal issues regarding drainage on lots in Plantation Resorts.
     - iii. No. 09-0069; In the Supreme Court of Texas; City of The Colony, Texas vs. North Texas Municipal Water District and City of Frisco, Texas
   - B. Section 551.072. To deliberate the purchase, exchange, lease or value or real property located:
     - i. South of US 380, North of Lebanon Road, East of FM 423, and West of Hillcrest Road.
   - C. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to

deliberate the offer or other incentives to a business prospect.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

4. "Fix A Leak Week"

REPORTS

5. Financial Services Report on financial position for February 2009 & department recognition

6. Planning & Development Services February 2009 Report on building Inspection, code enforcement, animal control, development, and training activities

7. Police Department's monthly report on crime statistics and response times for the month of February 2009

8. Fire Department Monthly Report on Incident Response and Educational Activities (FIRE)

9. Public Works Report for Water Usage and Other Monthly Activities for February 2009

10. Convention & Visitors Bureau February lead activities and Winter Games of Texas summary report.

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

11. Consider and act upon approval of the Minutes from the March 03, 2009 Regular City Council Meeting. (CSO/JP)

12. Consider and act upon recommendations from the Comprehensive Plan Advisory Committee (CPAC) regarding the priorities for Fiscal Year 2009-10. (Development Services/MW)

13. Consider and act upon a Resolution authorizing the City Manager to execute

Amendment Number One to the Professional Services Agreement between the City of Frisco and Kimley-Horn and Associates, Inc. for Intersection Improvements at various locations (Engineering/BM).

14. Consider and act upon approval of a purchase order to Smiths Detection, Inc. for the purchase of Hazardous Materials (HAZMAT) Detection and Identification devices. (Puchasging\TJ-Fire\RW)

15. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc., for a detailed Hydrologic Analysis of Stewart Creek (Engineering/LAC)

16. Consider and act upon adoption of a Resolution authorizing the City Manager to execute Amendment No. 1 to the Professional Services Agreement by and between the City of Frisco and Freese and Nichols, Inc., for the development of a Storm Water Utility (Engineering/LAC)

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

17. Consider and act upon adoption of an Ordinance to amend Article IV, Section 9.12 (A) of the Comprehensive Zoning Ordinance regarding the definition of automotive uses. Comprehensive Zoning Ordinance Amendment ZA08-0005. (Planning & Development Services)

REGULAR AGENDA

18. Presentation and Acceptance of the Fiscal Year 2008 Comprehensive Annual Financial Report and Auditor's Report. (Finance)

19. Public Hearing: Specific Use Permit SUP09-0001. A request for a Specific Use Permit for a Church (Mosque) on one lot on 0.3± acre on the northwest corner of Main Street and Fourth Street. Zoned Original Town Commercial with a Temporary Specific Use Permit (S-168) for a Church Neighborhood #11. (Planning & Development Services)

20. Public Hearing: Zoning Case Z09-0001, A request to amend Planned Development-79 development standards regarding secondary access requirements for Tract 2 (Chapel Creek) and consider and act to direct staff to prepare an Ordinance of the same. The property contains 22.4± acres and is located on the north side of (proposed) Brookhollow Boulevard, 800± feet west of Preston Road. Zoned Planned Development-79-Single Family-5. Neighborhood #23. (Planning & Development Services)

21. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Planning and Development Services, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning and Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Planning and Development Services. (Planning and Development Services)

22. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

23. Discussion on Governance Monitoring of present City Council Meeting.

ADJOURN

CERTIFICATION

Henry Hill, Deputy City Manager, certifies that this Notice of Meeting was posted on the outside bulletin board, at the City Hall of the City of Frisco, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time:

By 03-13-09 at 5:30 p.m. and remained so posted at least 72 hours before meeting was convened.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 – Private consultation with the attorney for the City.
§ 551.072 – Discussing purchase, exchange, lease or value of real property.
§ 551.074 – Discussing personnel or to hear complaints against personnel.

NOTICE

Pursuant to City of Frisco Ordinance Number 01-04-29 all speakers other than City of Frisco Staff are limited to five (5) minutes per item except by prior consent of the City Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

The Frisco City Hall is wheelchair accessible. Access to the building and special parking are available at the primary north entrance facing Frisco Square Blvd. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's Office at (972) 292-5025 or by FAX (972) 292-5028. BRAILLE IS NOT AVAILABLE.